

**SUPREME COURT MINUTES
THURSDAY, APRIL 28, 2005
SAN FRANCISCO, CALIFORNIA**

S058734

PEOPLE v. HOLMES, McCLAIN & NEWBORN
Extension of time granted

to July 5, 2005 to file appellant McCLAIN'S
opening brief.

S124421

WILLIAMSUN (JAMES B.) ON H.C.
Extension of time granted

to May 9, 2005 for petitioner to file the reply to
informal response to the petition for writ of
habeas corpus.

S130860

H022727 Sixth Appellate District

PEOPLE v. DOMINGUEZ
Extension of time granted

Respondent's time to serve and file the opening
brief on the merits is extended to May 31, 2005.

S133180

B162751 Second Appellate District,
Division Four

ARTISAN ENTERTAINMENT v. CASTRAVELLI
Extension of time granted

Respondent's time to serve and file the answer to
petition for review is extended to and including
May 9, 2005.

S127086

B165665 Second Appellate District,
Division Two

GENERAL MOTORS v. FRANCHISE TAX BOARD
Application to appear as counsel pro hac vice granted

to Shirley Sicilian of the State of Kansas on
behalf of amicus Multistate Tax Commission

S077033

PEOPLE v. DUENAS (ENRIQUE P.)
Order appointing State Public Defender filed

to represent appellant for the direct appeal.

S131176

B172437 Second Appellate District,
Division Six

PEOPLE v. PATRICK

Counsel appointment order filed

Richard Gilman appointed to represent appellant
now pending in this court.

S131315

B171183 Second Appellate District,
Division Four

PEOPLE v. RIVAS

Counsel appointment order filed

Irma Castillo appointed to represent appellant on
the appeal now pending in this court.

S132016

B168269 Second Appellate District,
Division Six

PEOPLE v. CUEVAS

Counsel appointment order filed

Roberta Simon appointed to represent appellant.

S131184

McGHEE ON DISCIPLINE

Recommended discipline imposed

It is ordered that **WENDY ANN McGHEE, State Bar No. 97028**, be suspended from the practice of law for three years and until she has shown proof satisfactory to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that she be placed on probation for three years subject to the conditions of probation, including 90 days actual suspension and restitution, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on October 22, 2004, as modified by its orders filed December 13, 2004, and December 22, 2004. It is also ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that she comply with rule 955 of the California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30

and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S131363

HEISLER ON DISCIPLINE

Recommended discipline imposed

It is ordered that **LAWRENCE ALAN HEISLER, State Bar No. 110657**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for five years subject to the conditions of probation, including 90 days actual suspension and restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on November 12, 2004, as modified by its order filed December 21, 2004. It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-fifth of said costs must be added to and become part of the membership fees for the years 2006, 2007, 2008, 2009 and 2010. (Bus. & Prof. Code section 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S131365

DUNCAN ON DISCIPLINE

Recommended discipline imposed

It is ordered that **KAREN EDNA DUNCAN, State Bar No. 160472**, be actually suspended for 30 days as recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed November 4, 2004. Costs are awarded to the State Bar and one-third of said costs must be added to and become part of the membership fees for the years 2006, 2007 and 2008. (Bus. & Prof. Code section 6086.10.)

S131366

STRAWDER ON DISCIPLINE

Recommended discipline imposed

It is ordered that **NUJYA STRAWDER, State Bar No. 112402**, be suspended from the practice of law for three years and until she has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that she be placed on probation for five years on condition that she be actually suspended for one year and until she has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii). Respondent is further ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on December 22, 2004. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of her actual suspension, or within one year of the effective date of this order, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-fifth of said costs must be added to and become part of the membership fees for years 2206, 2007, 2008, 2009 and 2010. (Bus. & Prof. Code section 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S131367

SMITH ON DISCIPLINE

Recommended discipline imposed

It is ordered that **ANN LONERGAN SMITH, State Bar No. 94331**, be suspended from the

practice of law for six months, that execution of suspension be stayed, and that she be placed on probation for one year on condition that she be actually suspended for 45 days. The one year period of probation must be consecutive to the probation ordered in S111040. **Ann Lonergan Smith** is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed November 10, 2004, as modified by its order filed January 4, 2005. Costs are awarded to the State Bar and one-quarter of said costs must be added to and become part of the membership fees for the years 2006, 2007, 2008 and 2009. (Bus. & Prof. Code section 6086.10.)

S131368**WHEATLEY ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **JAY DENTON WHEATLEY, State Bar No. 80822**, be suspended from the practice of law for two years and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for one year. Credit towards the period of actual suspension must be given for the period of interim suspension which commenced on February 27, 2004. (*In re Young* (1989) 49 Cal.3d 257, 270.) **Jay Denton Wheatley** is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 17, 2004, as modified by its order filed January 25, 2005. It is also ordered that **Jay Denton Wheatley** take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878,

891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S133235

DENTON ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **Edward Earl Denton, State Bar No. 202773**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S133236

BARKER ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **Douglas Alan Barker, State Bar No. 166269**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)